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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of)

Policies and Rules Implementing)
the Telephone Disclosure and)
Dispute Resolution Act)

CC Docket No. 93-22

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PETITION FOR LIMITED WAIVER

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

MCI Telecommunications Corporation (MCI) hereby requests a limited waiver of the Commission's pay-per-call service rules concerning the billing format and annual notification requirements until July 1, 1994.

Pursuant to Section 64.1509 of the rules, common carriers that assign telephone numbers to providers of interstate pay-per-call (PPC) services must provide a disclosure statement concerning PPC services to all telephone subscribers. Section 64.1510 of the rules requires carriers to include certain statements concerning PPC services with each billing statement that includes PPC charges. Because MCI contracts with the local exchange carriers (LECs) to perform billing and collection for 900 calls, MCI requested that the LECs modify the bill format in accordance with Section 64.1510 and provide the disclosure statement required by Section 64.1509 in order to comply with the Commission's rules.

MCI has been assured by most of the Bell Operating Companies that the required changes will be implemented and the disclosure statement will be distributed in accordance

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with the rules. However, the New England Telephone and Telegraph Company, the Cincinnati Bell Telephone Company and the Pacific Bell and Nevada Bell Telephone Companies have indicated that they will not be able to modify the bill format by November 1, 1993. In addition, a number of independent LECs and the clearinghouses that coordinate billing by the independent LECs have informed MCI that the necessary bill format changes cannot be implemented by November 1, 1993 and several of the clearinghouses also have stated that they cannot confirm that the disclosure statement will be distributed within the time set forth in the rules. Accordingly, MCI requests that the Commission waive these requirements until compliance can be achieved, but in no event later than July 1, 1994.

The Commission may grant a waiver of a rule where there are special circumstances that warrant a deviation from the general rule; a waiver will not undermine the Commission's policy; and the waiver will serve the public interest.^{1/} MCI's request for waiver satisfies these requirements. First, the required bill format changes are complex and require a great deal of time for the LECs and MCI to complete. The process involves significant systems development, programming and testing of the LECs' systems and the interfaces necessary to transfer billing information from MCI to its billing entities. In addition, it is not

^{1/} See, Wait Radio v. FCC, 418 F. 3d 1153 (D.C. Cir. 1969).

technically or practically feasible for MCI to perform its own billing or to distribute the disclosure statement itself due to the development requirements and the extreme costs associated with any such effort.

Second, the waiver will not undermine the Commission's policy with respect to PPC services because MCI will be in compliance with most of the rules, including the requirement that carriers establish a local or toll-free telephone number to respond to questions and complaints concerning PPC charges. Thus, grant of the waiver will not affect consumers' ability to receive information concerning PPC charges and the billing dispute procedures.


Finally, a waiver will serve the public interest because it will allow MCI to continue providing billing and collection service for PPC programs during the interim period until the LECs can modify their bill formats. In the absence of a waiver, customers in areas where the LECs cannot comply could be denied PPC services.

For good cause shown, MCI respectfully requests a limited waiver of the Commission's rules as discussed herein.

Respectfully submitted,

MCI Telecommunications Corporation

By:

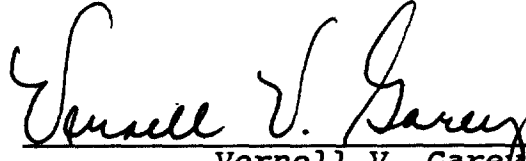


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Dated: October 26, 1993

CERTIFICATE OF SERVICE

I, Vernell V. Garey, do hereby certify that on this 26th day of October, 1993, copies of the foregoing "**Petition for Limited Waiver**" in the Matter of Policies and Rules Implementing the Telephone Disclosure and Dispute Resolution Act in CC Docket No. 93-22, were served by first-class mail, postage prepaid, upon the parties listed on the following attachment.



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